

REMARKS

Restriction Requirement

The Office Action set forth several restriction groups (Groups 1 - 46). The groups were presented in pairs, within which subject matter related to the short form and the long form of the SIM2 gene allegedly constituted two different inventions.

Applicants hereby elect Group 25 (claims 25-30), drawn to a method for decreasing the mRNA level of the SIM2 short form gene (SEQ ID NO:2), classified in class 514, subclass 44. This election is made without traverse. Claims 25, 28, 29 and 30 (as amended) and claims 26 and 27 read on the claims directed to the elected group.

Respectfully submitted,

AKERMAN SENTERFITT

Dated: April 10, 2003



Margaret J. McLaren, Ph.D., Esq.  
Registration No. 53,303  
Gregory A. Nelson, Esq.  
Registration No. 30,577  
222 Lakeview Avenue, Suite 400  
West Palm Beach, FL 33402-3188  
Tel: 561-653-5000

**APPENDIX B**  
**MARKED-UP VERSION OF AMENDED CLAIMS**

25. (Amended) A method of [modulating] decreasing SIM2 short form gene expression comprising the steps of:

- (a) providing a cell that expresses a SIM2 short form gene; and
- (b) introducing into the cell an agent that decreases the expression of the SIM2 short form gene in the cell.

28. (Amended) The method of claim 27, wherein the antisense oligonucleotide hybridizes under stringent hybridization conditions to a polynucleotide that encodes a SIM2 short form protein.

29. (Amended) The method of claim 28, wherein the antisense oligonucleotide is at least 18 nucleotides in length and comprises a sequence that is a complement of a nucleic acid that encodes the SIM2 short form protein.

30. (Amended) The method of claim 27, wherein the antisense oligonucleotide comprises [a] the nucleic acid sequence [selected from the group consisting of] identified as SEQ ID [NOs] NO:[11 and]12.